



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 24/08/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7765 of 2020

Nalla Ibrahim

... Petitioner/Sole Accused

Vs

1.The State rep.by
The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
(Crime No.48 of 2015)

... 1st respondent/complainant

(*)2.Fathima Rishvana

... 2nd Respondent/Defacto Complainant

**(R2 suo moto impleaded as per order of this
Court dated 31.07.2020 in Crl.O.P. (MD) .No.7765 of 2020)**

For Petitioner : Mr.D.Saranya,
Advocate.

For 1stRespondent : Mr.K. Suyambulinga Bharathi,
Government Advocate (Crl.Side)

For 2ndRespondent : Mr.K.Anna,
Advocate

PRAYER :-

For Anticipatory Bail in Crime No. 48 of 2015 on the file of
the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who is the sole accused in Crime No.48 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC, which is now pending in C.C.No.117 of 2018 on the file of the learned Judicial Magistrate No.2, Ramanathapuram District, and hence, seeks anticipatory bail.



2. Heard the learned counsel for the petitioner and the learned Government Advocate (criminal side) for the respondent police.

3. The learned Government Advocate (criminal side) appearing for the respondent on instructions submitted that the final report has been filed and the same was taken on file in C.C.No.117 of 2018 before the learned Judicial Magistrate No.2, Ramanathapuram District. He further submitted that due to absence of the petitioner, a non-bailable warrant was issued against the petitioner by the trial Court. He further submitted that the case is pending before the Court concerned without any progress because of the pendency of non-bailable warrant against the petitioner.

4. Considering the fact that non-bailable warrant is pending against the petitioner, the petitioner is directed to surrender before the learned Judicial Magistrate No.2, Ramanathapuram District, and to file a petition for recalling the warrant, within 15 days from the date on which the order copy made ready and the concerned Court is directed to accept the surrender of the petitioner and consider the petition to be submitted by the petitioner for recalling the warrant, on the same day of his surrender, on merits and in accordance with law.

5. Accordingly, this Criminal Original Petition is disposed of.

sd/-
24/08/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.2, RAMANATHAPURAM.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.

<https://hcserv.mca.gov.in/Reserve>



4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

WEB COPY

ORDER

IN

CRL OP(MD) No.7765 of 2020

Date :24/08/2020

VSG

AE/AKM/SAR-II (26.08.2020) 3P 5C